

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

V.

EDUARDO PAGAN

)  
)  
) CRIMINAL NO. 05CR300 -MAP  
)  
)

MOTION FOR DETENTION HEARING

The United States moves for pretrial detention of defendant, pursuant to 18 U.S.C. Section 3142(e) and (f).

1. Eligibility of Case. This case is eligible for a detention order because it involves (check all that apply):

- ☐ Crime of violence (18 U.S.C. Section 3156)  
☐ Maximum sentence life imprisonment or death  
☒ 10 plus years drug offense  
☐ Felony, with two prior convictions in above categories  
☒ Serious risk defendant will flee  
☐ Serious risk of obstruction of justice

2. Reason for Detention. The court should detain defendant because there are no conditions of release which will reasonably assure (check one or both):

- ☒ Defendant's appearance as required  
☐ Safety of any other person and the community

3. Rebuttable Presumption. The United States (will, ~~will~~ ~~not~~) invoke the rebuttable presumption against defendant under Section 3142(e). (If yes) The presumption applies because (check one or both):

X   Probable cause to believe defendant committed 10 plus year drug offense or firearms offense, 18 U.S.C. Section 924(c)

  X   Previous conviction for "eligible" offense committed while on pretrial bond

4. Time for Detention Hearing. The United States requests, the court conduct the detention hearing,

           At first appearance


  X   After continuance of   3   days (not more than 3)

5. Witnesses. The United States intends to call the following witnesses:

The amount of time for direct examination of these witnesses is estimated to be: one-half hour.

6. Other Matters.

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\_\_\_\_\_  
\_\_\_\_\_  
DATED this   16th   day of   June  , 20<sup>05</sup>.

  
Assistant United States Attorney